

Effort seeks to scrap state constitution's two-thirds vote rule



By John Wildermuth

[San Francisco Chronicle](#): California opinion leaders who turned out today at a forum on government reforms said their top priority is getting rid of the Legislature's requirement for a two-thirds vote to approve state budgets and taxes, which has been blamed for record-long budget delays.

The supermajority rule and the mammoth effort it took the Legislature to find the needed votes last week to pass the new budget dominated the all-day summit, which looked at possible reforms to government in the state and the best way to bring them about.

"We have to drop the two-thirds rule," said Mark Paul, a senior scholar with the New America Foundation, a nonpartisan public policy institute. "It's been a social science experiment for the

past 75 years for the budget and the last 30 years for taxes, and it has failed utterly."

Lt. Gov. John Garamendi called the two-thirds rule - approved by voters in 1933 as a constitutional amendment for budgets and extended to tax increases as part of voter-approved Proposition 13 in 1978 - an affront to democracy.

"In Sacramento, it's not majority rule, but minority rule," he said. "We've tied ourselves in knots with the two-thirds rule, so it's time to go back and move to a simple majority rule for everything."

Initiative measures to cut the requirement for the passage of a budget and new taxes from two-thirds down to 55 percent have been approved for circulation and similar measures, also aimed for a 2010 ballot, are in the works.

The plans face certain opposition from California Republicans and their allies because GOP legislators see the two-thirds rule as the only thing that gives them even a bit of clout in a Legislature dominated by Democrats.

Republican votes needed

But to pass the most recent budget, Democrats needed three Republican votes in the Assembly and in the state Senate, which meant GOP leaders were able to negotiate budget cuts and a spending cap that Democrats might otherwise have rejected.

Despite the anger over the lengthy budget battle, an end to the two-thirds rule is no sure thing. Proposition 56, a measure similar to the initiatives aimed for next year's ballot, was steamrolled in 2004, collecting only 34 percent of the vote.

Requiring a two-thirds vote for the budget not only causes delays, special deals and various inefficiencies, but it also makes it harder for the voters to decide whom to blame for problems

with the state's finances, Paul said.

Accountability an issue

The supermajority requirement "destroyed accountability and fiscal responsibility," he said. "There's no one to hold accountable."

The two-thirds vote was one of many concerns for those who jammed into a ballroom at the Sheraton Grand Hotel to hear a variety of speakers and panelists talk about the need for change in California, change that could require a new state constitutional convention to bring it about.

"We have a system of government guided by a (state) Constitution that has more than 500 amendments," said Jim Wunderman, president of the Bay Area Council, a regional business group, and the driving force behind the call for a new convention.

"People of California need to take a look at what we have, take a look at what other states have and then try to come up with a system that functions better, that delivers better results faster," he added.

There was no shortage of suggestions. Although the two-thirds vote topped the list of suggested reforms, an unofficial survey of people at the summit also favored changes in the initiative process, more legislators in smaller districts, revisions to the term-limit laws and folding the Assembly and the state Senate into a single legislative body.

Single house supported

That's a reform that makes sense to Garamendi, who spent 16 years in the Legislature and is a candidate for governor in next year's race.

"Our two-house government is an anachronism," he said. "A one-house, 120-member Legislature would be more efficient, provide for smaller districts and deal with the term limits problem, since everyone would have a maximum of 14 years in the single house."

In a constitutional convention, ideas for changes in California's government could be proposed, debated and voted on by delegates, with the winning ideas going onto the ballot.

A proposal for a new constitutional convention could go to voters as early as next year, with a convention opening in 2011, Wunderman said. While details about delegate selection, the structure of the conventions and what would be covered were discussed today, there's a long way to go before final decisions are made.

But hot-button social issues should be banned from the convention, said Rick Jacobs of the Courage Campaign, one of the many co-sponsors of the event.

"If the convention is about God, guns and gays, it's dead on arrival," he said. "It needs to be about the nuts and bolts of government, those boring things that make our system work."